

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 851 OF 2007
CONNECTED WITH
COMPANY APPLICATION NO.949 OF 2007

In the matter of Scheme of Amalgamation of
Vaibhav Healthcare Private Limited with
Ankur Drugs and Pharma Limited and
respective shareholders and creditors.

Vaibhav Healthcare Private Limited...Petitioner/Transferor Company

WITH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 852 OF 2007
CONNECTED WITH
COMPANY APPLICATION NO. 950 OF 2007

In the matter of Scheme of Amalgamation of
Vaibhav Healthcare Private Limited with
Ankur Drugs and Pharma Limited and their
respective shareholders and creditors.

Ankur Drugs and Pharma Limited ...Petitioner/Transferee Company

Mr. Amish Shroff i/b Rajani Associates for the Petitioners

Mr. S. Ramakanta Dy. O. L. only in CP/851/2007

Mrs. N. V. Masurkar with Ms. Nisha Valani i/b S. K. Mohapatra for R. D.

CORAM: A. M. KHANWILKAR, J.

DATE: 14th December, 2007

PC:

1. Heard learned counsel for the Parties.
2. The sanction of this Hon'ble Court is sought under Section 391 to 394 of the Companies Act, 1956 to the Scheme of Amalgamation of Vaibhav Healthcare Private Limited, the Transferor Company with Ankur Drugs and Pharma Limited, the

Transferee Company and their respective shareholders and creditors.

3. Counsel appearing on behalf of the Petitioners has stated that they have complied with all requirements as per directions of this Hon'ble Court and they have filed necessary affidavits of compliance in the Court.
4. Upon perusal of the entire material placed on records, the Scheme appears to be fair and reasonable and is not violative of any provisions of law and is not contrary to any public policy. None of the Parties concerned has come forward to oppose the Scheme. Moreover, both the Regional Director and the Official Liquidator have stated that the Scheme as proposed is in the interest of shareholders and creditors and public.
5. There is no objection to the Scheme and since all the requisite statutory compliances have been fulfilled, Company Petition Nos. 851 and 852 of 2007 filed by the Transferor Company and the Transferee Company are made absolute in terms of prayer clauses (a) to (h).
6. The Transferee Company to lodge a copy of this Order and the Scheme with the concerned Superintendent of Stamps for the purpose of adjudication of stamp duty payable, if any, on the same within 30 days of obtaining the certified copy and/or an authenticated copy of the Order.
7. The Petitioners in both the Company Petitions to pay cost of Rs.5000 each to the Regional Director and to the Official Liquidator by the Petitioner in the Petition filed by the Transferor Company. Costs to be paid within four weeks from today.
8. Filing and issuance of the drawn up order is dispensed with. All authorities concerned to act on a copy of this Order duly authenticated by the Registry. Petitioners to comply with all statutory compliances, applicable, if any.

A. M. Khanwilkar, J